

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES MUHAMET,

Petitioner,

File no: 1:07-CV-380

v.

HON. ROBERT HOLMES BELL

ERIC B. RESTUCCIA,

Respondent.

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**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that Petitioner's habeas corpus petition is hereby **DENIED** as it is barred by the one-year statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is denied. *See Slack v. McDaniel*, 529 U.S. 473 (2000).

Date: June 28, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE